

\*\*E-filed 9/13/06\*\*

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Attorneys for Plaintiff  
 KAREN CARTER

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE DIVISION

KAREN CARTER,

Plaintiff,

vs.

THE COUNTY OF SANTA CLARA; CITY OF  
 CAMPBELL; JEFF BRIGHAM and FRED  
 NAGGAR, Individually and Doing Business  
 under the name BOSWELL'S; ROYCE  
 ENTERPRISES, INC.; D.P. LIVINGSTON;  
 (DOE) ASBAN; (DOE) RODRIGUEZ; (DOE)  
 DURAN; (DOE) WHEELER; and DOES 1- 10  
 inclusive,

Defendants.

Case No.: C05 03974- JF

**STIPULATION TO CONTINUE CASE  
 MANAGEMENT CONFERENCE**

Judge: Honorable Jeremy Fogel  
 Ctrm: 3, 5<sup>th</sup> Floor

The court previously held a case management conference in this matter on July 14, 2006. At that time the case was referred to Magistrate Judge Richard Seeborg for a settlement conference. Due to calendar conflicts, the first available date for a settlement conference was November 14, 2006. Magistrate Judge Richard Seeborg has scheduled the settlement conference to commence at 9:30 a.m. on November 14, 2006. It is therefore requested that the court continue the further case management conference from September 15, 2006 at 10:30 a.m. to a date after November 14, 2006.

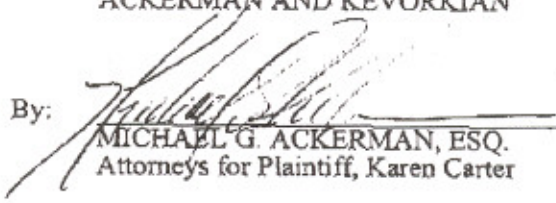
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1 DATED: September 11, 2006

ACKERMAN AND KEVORKIAN

2  
3 By:

  
MICHAEL G. ACKERMAN, ESQ.  
Attorneys for Plaintiff, Karen Carter

4  
5 DATED: September \_\_, 2006

OFFICE OF THE COUNTY COUNSEL

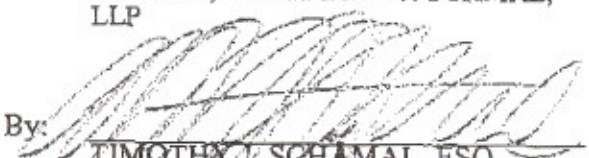
6  
7  
8 By:

DAVID M. ROLLO, ESQ.  
Attorneys for Defendants, County of  
Santa Clara and DOC officers

9  
10 DATED: September 12 2006

BURTON, VOLKMAN & SCHMAL,  
LLP

11  
12  
13 By:

  
TIMOTHY J. SCHMAL, ESQ.  
Attorneys for Defendants, City of  
Campbell and D.P. Livingston

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15  
16 ORDER

17 Upon stipulation of the parties and good cause appearing therefore, it is ORDERED that  
18 the further case management conference is continued to 11/17/06, 2006 at 10:30 a.m.

19  
20 9/13/06

  
HONORABLE JEREMY FOGEL  
Judge of the United States District Court

Sep 11 06 02:45P

ACKERMAN AND KEVORKIAN

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Case 5:05-cv-03974-JF Document 52 Filed 09/13/06 Page 3 of 6

1 DATED: September 11, 2006

ACKERMAN AND KEVORKIAN

2  
3 By:MICHAEL G. ACKERMAN, ESQ.  
Attorneys for Plaintiff, Karen Carter4  
5 DATED: September 12, 2006

OFFICE OF THE COUNTY COUNSEL

6  
7 By:DAVID M. ROLLO, ESQ.  
Attorneys for Defendants, County of  
Santa Clara and DOC officers8  
9  
10 DATED: September \_\_, 2006BURTON, VOLKMANN & SCHMAL,  
LLP11  
12  
13 By:TIMOTHY J. SCHAMAL, ESQ.  
Attorneys for Defendants, City of  
Campbell and D.P. Livingston14  
15  
16 ORDER17 Upon stipulation of the parties and good cause appearing therefore, it is ORDERED that  
18 the further case management conference is continued to \_\_\_\_, 2006 at 10:30 a.m.19  
20 HONORABLE JEREMY FOGEL  
21 Judge of the United States District Court



1 DATED: September 14, 2006

ACKERMAN AND KEVORKIAN

2  
3 By: 

MICHAEL G. ACKERMAN, ESQ.  
Attorneys for Plaintiff, Karen Carter

4  
5 DATED: September \_\_, 2006

OFFICE OF THE COUNTY COUNSEL

6  
7 By:

8 DAVID M. ROLLO, ESQ.  
9 Attorneys for Defendants, County of  
Santa Clara and DOC officers

10 DATED: September \_\_, 2006

BURTON, VOLKMANN & SCHMAL,  
LLP

11  
12  
13 By:

14 TIMOTHY J. SCHAMAL, ESQ.  
15 Attorneys for Defendants, City of  
Campbell and D.P. Livingston

16 **ORDER**

17 Upon stipulation of the parties and good cause appearing therefore, it is ORDERED that  
18 the further case management conference is continued to \_\_\_\_\_, 2006 at 10:30 a.m.  
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20 HONORABLE JEREMY FOGEL  
21 Judge of the United States District Court  
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**PROOF OF SERVICE**

The undersigned declares:

I am a citizen of the United States and a resident of Santa Clara County, State of California. I am over the age of eighteen (18) years and not a party to the within above-entitled action. My business address is 2391 The Alameda, Suite 100, Santa Clara, CA 95050.

On September 12, 2006, I served a copy of the following document(s) described as:

- **FIRST AMENDED COMPLAINT FOR VIOLATION OF CIVIL RIGHTS, ASSAULT AND BATTERY**

on the interested parties in this action by placing true copies thereof in a sealed envelope addressed to the person(s) listed below:

Timothy J. Schmal, Esq.  
Burton, Volkmann & Schmal, LLP  
133 Mission Street, Suite 102  
Santa Cruz, CA 95060  
**Facsimile: (831) 427-3159**  
(Attorneys for Defendants, City of Campbell and D.P. Livingston)

David M. Rollo, Esq.  
Office of the County Counsel  
County of Santa Clara  
70 West Hedding Street, 9<sup>th</sup> Floor  
San Jose, CA 95110  
**Facsimile: (408) 292-7240**  
(Attorneys for Defendants, County of Santa Clara and DOC officers)

Christopher J. Olson, Esq.  
Sweeney, Mason, Wilson & Bosomworth  
983 University Avenue, Suite 104C  
Los Gatos, CA 95032-7637  
**Facsimile: (408) 354-8839**  
(Attorneys for Royce Enterprises, Inc., dba Boswell's)

( X ) **(By U.S. Mail)** I am readily familiar with my employer's business practice for collection and processing of correspondence for mailing with the United States Postal Service. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter is more than one day after dated of deposit for mailing in affidavit. I deposited such envelope(s) with postage thereon fully paid to be placed in the United States Mail at Santa Clara, California.

( ) **(By Facsimile)** I served a true and correct copy by facsimile pursuant to C.C.P. 1013(e), calling for agreement and written confirmation of that agreement on court order, to the number(s) listed above or on an attached sheet. Said transmission was reported complete and without error.

( ) **(By California Overnight Mail)** I served a true and correct copy enclosed in a sealed

1 package, for California Overnight collection and for overnight delivery. I marked said envelope  
2 for collection and overnight delivery to the addressed and to the office of the addressee(s) as  
3 above indicated. In the ordinary course of business and including said overnight envelopes, will  
4 be deposited with California Overnight at Santa Clara, California.

5 (X) **(Federal Only)** I declare that I am employed in the office of a member of the bar of this  
6 Court at whose direction the service was made.

7 I declare under penalty of perjury under the laws of the United States of America and the  
8 State of California that the foregoing is true and correct and that this declaration was executed on  
9 September 12, 2006, at Santa Clara, California.

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12 CAMI J. SMURPHAT  
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